

## United States District Court

CENTRAL SEC. DISTRICT OF MASSACHUSETTS

GEORGE BENYAMIN

Plaintiff

APPLICATION TO PROCEED  
WITHOUT PREPAYMENT OF  
FEES AND AFFIDAVITATTORNEY<sup>V.</sup> THOMAS

Defendant

BELIVEAS  
BELIVEAU  
ET AL

CASE NUMBER:

05-40004

1. GEORGE BENYAMIN declare that I am the (check appropriate box)  
☒ petitioner/plaintiff/movant ☐ other

in the above-entitled proceeding; that in support of my request to proceed without prepayment of fees or costs under 28 U.S.C. §1915 I declare that I am unable to pay the costs of these proceedings and that I am entitled to the relief sought in the complaint/petition/motion.

In support of this application, I answer the following questions under penalty of perjury:

1. Are you currently incarcerated? ☒ Yes ☐ No (If "No" go to Part 2)

If "Yes" state the place of your incarceration WCC/GARDNER, MA

Are you employed at the institution?          Do you receive any payment from the institution?         

Have the institution fill out the Certificate portion of this affidavit and attach a ledger sheet from the institution(s) of your incarceration showing at least the past six months' transactions.

2. Are you currently employed? ☐ Yes ☒ No

a. If the answer is "Yes" state the amount of your take-home salary or wages and pay period and give the name and address of your employer.

b. If the answer is "No" state the date of your last employment, the amount of your take-home salary or wages and pay period and the name and address of your last employer.

1998

3. In the past twelve months have you received any money from any of the following sources?

a. Business, profession or other self-employment	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
b. Rent payments, interest or dividends	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
c. Pensions, annuities or life insurance payments	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
d. Disability or workers compensation payments	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
e. Gifts or inheritances	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
f. Any other sources	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

If the answer to any of the above is "yes" describe each source of money and state the amount received and what you expect you will continue to receive.

MASSACHUSETTS  
DEPARTMENT OF CORRECTION  
Inmate Transaction History  
Summary Report

NCCI-GARDNER

*Your copy*

Inmate Name.....	<u>George</u>	<u>Benjamin</u>	
Commitment number....	<u>W65522</u>		
Period encompassed....	<u>6/28/2004</u>	<u>THRU</u>	<u>12/28/2004</u>
Six Month Average Daily Balance	<u>96.27</u>	<u>358.83</u>	<u>455.10</u>
20% of Six Month Average Daily Balance	<u>91.02</u>		
Total Expenditures for Period			<u>613.89</u>
Total Income for Period			<u>423.91</u>

To the best of my knowledge, the above  
summary information is true and accurate:

Signed Sheila Cregg  
Sheila Cregg, Treasurer

Time: 4:10 pm

Date: 12/28/04

Note: A copy of the inmate's account activity statement for the six month period  
("Inmate Transaction History") is attached.

## COMMONWEALTH OF MASSACHUSETTS

## DEPARTMENT OF CORRECTION

## Inmate Transaction Report

Date : 20041228 15:51

Page : 1

Commit# : W65522

NCCI GARDNER

Name : BENYAMIN, GEORGE, ,

Statement From 20040628

Inst : NCCI GARDNER

To 20041228

Block : H BUILDING 1

Cell/Bed : 14 / A

237.39

357.03

Transaction Date	Type	Receipt #	Check No	Inst Name	Notes	Personal		Savings	
						Income	Expense	Income	Expense
Total Transaction before this Period :						\$3,373.32	\$3,135.93	\$390.03	\$33.00
20040709 14:27	IC - Transfer from Inmate to Club A/c	3063761		GAR	~POSTAGE-POSTAGE - Z11~POSTAGE - Z11	\$0.00	\$1.06	\$0.00	\$0.00
20040713 10:24	IC - Transfer from Inmate to Club A/c	3070758		GAR	~POSTAGE-POSTAGE - Z11~POSTAGE - Z11	\$0.00	\$4.88	\$0.00	\$0.00
20040713 17:10	IS - Interest	3074577		GAR		\$0.21	\$0.00	\$0.00	\$0.00
20040713 17:10	IS - Interest	3074578		GAR		\$0.00	\$0.00	\$0.48	\$0.00
20040714 11:29	IC - Transfer from Inmate to Club A/c	3089509		GAR	~POSTAGE-POSTAGE - Z11~POSTAGE - Z11	\$0.00	\$4.05	\$0.00	\$0.00
20040714 22:30	CN - Canteen	3092846		GAR	~Canteen Date : 20040714	\$0.00	\$49.89	\$0.00	\$0.00
20040715 12:58	IC - Transfer from Inmate to Club A/c	3103164		GAR	~Appliance Purchase-CANTEEN CORP. WASH ACCOUNT - Z6-CANTEEN CORP. WASH ACCOUNT - Z6	\$0.00	\$10.90	\$0.00	\$0.00
20040720 11:15	IC - Transfer from Inmate to Club A/c	3115645		GAR	~postage-POSTAGE - Z11~POSTAGE - Z11	\$0.00	\$6.00	\$0.00	\$0.00
20040721 22:30	CN - Canteen	3122813		GAR	~Canteen Date : 20040721	\$0.00	\$16.29	\$0.00	\$0.00
20040723 12:26	IC - Transfer from Inmate to Club A/c	3136769		GAR	~NOTARY-INMATE BENEFIT - Z1~INMATE BENEFIT - Z1	\$0.00	\$1.00	\$0.00	\$0.00
20040723 12:29	IC - Transfer from Inmate to Club A/c	3136771		GAR	~NOTARY-INMATE BENEFIT - Z1~INMATE BENEFIT - Z1	\$0.00	\$1.00	\$0.00	\$0.00
20040727 13:23	IC - Transfer from Inmate to Club A/c	3144133		GAR	~POSTAGE-POSTAGE - Z11~POSTAGE - Z11	\$0.00	\$5.80	\$0.00	\$0.00
20040727 13:24	IC - Transfer from Inmate to Club A/c	3144137		GAR	~POSTAGE-POSTAGE - Z11~POSTAGE - Z11	\$0.00	\$1.75	\$0.00	\$0.00
20040728 22:30	CN - Canteen	3151287		GAR	~Canteen Date : 20040728	\$0.00	\$20.02	\$0.00	\$0.00
20040729 13:13	IC - Transfer from Inmate to Club A/c	3159565		GAR	~POSTAGE-POSTAGE - Z11~POSTAGE - Z11	\$0.00	\$3.95	\$0.00	\$0.00
20040804 22:30	CN - Canteen	3176448		GAR	~Canteen Date : 20040804	\$0.00	\$14.08	\$0.00	\$0.00
20040805 10:16	IC - Transfer from Inmate to Club A/c	3187791		GAR	~postage-POSTAGE - Z11~POSTAGE - Z11	\$0.00	\$4.65	\$0.00	\$0.00
20040811 17:03	IS - Interest	3208619		GAR		\$0.29	\$0.00	\$0.00	\$0.00
20040811 17:03	IS - Interest	3208620		GAR		\$0.00	\$0.00	\$0.57	\$0.00
20040811 22:30	CN - Canteen	3222344		GAR	~Canteen Date : 20040811	\$0.00	\$19.42	\$0.00	\$0.00
20040816 14:08	IC - Transfer from Inmate to Club A/c	3240692		GAR	~postage-POSTAGE - Z11~POSTAGE - Z11	\$0.00	\$3.95	\$0.00	\$0.00
20040817 22:30	CN - Canteen	3247087		GAR	~Canteen Date : 20040817	\$0.00	\$23.54	\$0.00	\$0.00
20040819 09:24	ML - Mail	3260078		GAR	~BENYAMIN, EMAD, ,	\$100.00	\$0.00	\$0.00	\$0.00
20040819 14:10	IC - Transfer from Inmate to Club A/c	3261101		GAR	~postage-POSTAGE - Z11~POSTAGE - Z11	\$0.00	\$4.88	\$0.00	\$0.00
20040819 14:11	IC - Transfer from Inmate to Club A/c	3261105		GAR	~postage-POSTAGE - Z11~POSTAGE - Z11	\$0.00	\$0.60	\$0.00	\$0.00
20040819 14:12	IC - Transfer from Inmate to Club A/c	3261107		GAR	~postage-POSTAGE - Z11~POSTAGE - Z11	\$0.00	\$4.75	\$0.00	\$0.00
20040825 22:30	CN - Canteen	3280661		GAR	~Canteen Date : 20040825	\$0.00	\$12.29	\$0.00	\$0.00
20040826 09:58	IC - Transfer from Inmate to Club A/c	3288548		GAR	~POSTAGE-POSTAGE - Z11~POSTAGE - Z11	\$0.00	\$4.88	\$0.00	\$0.00
20040831 10:43	IC - Transfer from Inmate to Club A/c	3301123		GAR	~POSTAGE - Z11~POSTAGE - Z11	\$0.00	\$4.88	\$0.00	\$0.00

## COMMONWEALTH OF MASSACHUSETTS

## DEPARTMENT OF CORRECTION

## Inmate Transaction Report

Date : 20041228 15:51

Page : 2

Commit# : W65522

NCCI GARDNER

Name : BENYAMIN, GEORGE, ,

Statement From 20040628

Inst : NCCI GARDNER

To 20041228

Block : H BUILDING 1

Cell/Bed : 14 /A

Transaction Date	Type	Receipt #	Check No	Inst Name	Notes	Personal		Savings	
						Income	Expense	Income	Expense
20040831 10:46	IC - Transfer from Inmate to Club A/c	3301124		GAR	-POSTAGE -POSTAGE - Z11-POSTAGE - Z11	\$0.00	\$4.88	\$0.00	\$0.00
20040831 10:46	IC - Transfer from Inmate to Club A/c	3301125		GAR	-POSTAGE-POSTAGE - Z11-POSTAGE - Z11	\$0.00	\$4.42	\$0.00	\$0.00
20040831 10:47	IC - Transfer from Inmate to Club A/c	3301126		GAR	-POSTAGE -POSTAGE - Z11-POSTAGE - Z11	\$0.00	\$0.60	\$0.00	\$0.00
20040831 10:48	IC - Transfer from Inmate to Club A/c	3301127		GAR	-POSTAGE -POSTAGE - Z11-POSTAGE - Z11	\$0.00	\$0.60	\$0.00	\$0.00
20040831 10:48	IC - Transfer from Inmate to Club A/c	3301129		GAR	-POSTAGE -POSTAGE - Z11-POSTAGE - Z11	\$0.00	\$4.88	\$0.00	\$0.00
20040901 10:10	IC - Transfer from Inmate to Club A/c	3305278		GAR	-POSTAGE-POSTAGE - Z11-POSTAGE - Z11	\$0.00	\$4.42	\$0.00	\$0.00
20040901 10:10	IC - Transfer from Inmate to Club A/c	3305282		GAR	-POSTAGE-POSTAGE - Z11-POSTAGE - Z11	\$0.00	\$8.80	\$0.00	\$0.00
20040901 22:30	CN - Canteen	3308751		GAR	-Canteen Date : 20040901	\$0.00	\$22.77	\$0.00	\$0.00
20040903 11:28	IC - Transfer from Inmate to Club A/c	3321080		GAR	-POSTAGE-POSTAGE - Z11-POSTAGE - Z11	\$0.00	\$1.29	\$0.00	\$0.00
20040908 10:07	IC - Transfer from Inmate to Club A/c	3331183		GAR	-Postage-POSTAGE - Z11-POSTAGE - Z11	\$0.00	\$4.65	\$0.00	\$0.00
20040908 10:08	IC - Transfer from Inmate to Club A/c	3331185		GAR	-Postage-POSTAGE - Z11-POSTAGE - Z11	\$0.00	\$4.65	\$0.00	\$0.00
20040908 10:27	IC - Transfer from Inmate to Club A/c	3331252		GAR	-Postage-POSTAGE - Z11-POSTAGE - Z11	\$0.00	\$8.80	\$0.00	\$0.00
20040908 16:50	IS - Interest	3334833		GAR		\$0.18	\$0.00	\$0.00	\$0.00
20040908 16:50	IS - Interest	3334834		GAR		\$0.00	\$0.00	\$0.64	\$0.00
20040908 22:30	CN - Canteen	3349413		GAR	-Canteen Date : 20040908	\$0.00	\$18.68	\$0.00	\$0.00
20040909 10:39	IC - Transfer from Inmate to Club A/c	3358280		GAR	-POSTAGE-POSTAGE - Z11-POSTAGE - Z11	\$0.00	\$4.65	\$0.00	\$0.00
20040910 10:37	IC - Transfer from Inmate to Club A/c	3363529		GAR	-POSTAGE-POSTAGE - Z11-POSTAGE - Z11	\$0.00	\$8.80	\$0.00	\$0.00
20040915 22:30	CN - Canteen	3379936		GAR	-Canteen Date : 20040915	\$0.00	\$10.61	\$0.00	\$0.00
20040927 09:46	ML - Mail	3423489		GAR	-BENYAMIN, EMAD, 16018	\$100.00	\$0.00	\$0.00	\$0.00
20040929 09:29	IC - Transfer from Inmate to Club A/c	3432026		GAR	-POSTAGE-POSTAGE - Z11-POSTAGE - Z11	\$0.00	\$0.37	\$0.00	\$0.00
20040929 09:30	IC - Transfer from Inmate to Club A/c	3432027		GAR	-POSTAGE-POSTAGE - Z11-POSTAGE - Z11	\$0.00	\$0.37	\$0.00	\$0.00
20040929 09:30	IC - Transfer from Inmate to Club A/c	3432029		GAR	-POSTAGE-POSTAGE - Z11-POSTAGE - Z11	\$0.00	\$0.37	\$0.00	\$0.00
20040929 22:30	CN - Canteen	3434980		GAR	-Canteen Date : 20040929	\$0.00	\$30.84	\$0.00	\$0.00
20041004 12:03	IC - Transfer from Inmate to Club A/c	3451675		GAR	-POSTAGE-POSTAGE - Z11-POSTAGE - Z11	\$0.00	\$1.98	\$0.00	\$0.00
20041004 12:04	IC - Transfer from Inmate to Club A/c	3451677		GAR	-POSTAGE-POSTAGE - Z11-POSTAGE - Z11	\$0.00	\$6.26	\$0.00	\$0.00
20041004 12:04	IC - Transfer from Inmate to Club A/c	3451678		GAR	-POSTAGE-POSTAGE - Z11-POSTAGE - Z11	\$0.00	\$0.37	\$0.00	\$0.00
20041005 09:58	IC - Transfer from Inmate to Club A/c	3457800		GAR	-POSTAGE-POSTAGE - Z11-POSTAGE - Z11	\$0.00	\$2.90	\$0.00	\$0.00
20041005 09:59	IC - Transfer from Inmate to Club A/c	3457802		GAR	-POSTAGE-POSTAGE - Z11-POSTAGE - Z11	\$0.00	\$6.95	\$0.00	\$0.00
20041005 22:30	CN - Canteen	3460204		GAR	-Canteen Date : 20041005	\$0.00	\$19.14	\$0.00	\$0.00
20041007 08:27	IC - Transfer from Inmate to Club A/c	3474202		GAR	-POSTAGE-POSTAGE - Z11-POSTAGE - Z11	\$0.00	\$0.37	\$0.00	\$0.00
20041007 11:22	IC - Transfer from Inmate to Club A/c	3476070		GAR	-Clothing Purchase-KCN WASH ACCOUNT - Z5-KCN WASH	\$0.00	\$15.03	\$0.00	\$0.00

## COMMONWEALTH OF MASSACHUSETTS

## DEPARTMENT OF CORRECTION

## Inmate Transaction Report

Date : 20041228 15:51

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Commit# : W65522

NCCI GARDNER

Name : BENYAMIN, GEORGE, ,

Statement From 20040628

Inst : NCCI GARDNER

To 20041228

Block : H BUILDING 1

Cell/Bed : 14 /A

Transaction Date	Type	Receipt #	Check No	Inst Name	Notes	Personal		Savings	
						Income	Expense	Income	Expense
ACCOUNT - Z5									
20041012 22:30	CN - Canteen	3491038		GAR	~Canteen Date : 20041012	\$0.00	\$7.87	\$0.00	\$0.00
20041013 16:59	IS - Interest	3500128		GAR		\$0.05	\$0.00	\$0.00	\$0.00
20041013 16:59	IS - Interest	3500129		GAR		\$0.00	\$0.00	\$0.67	\$0.00
20041018 12:00	IC - Transfer from Inmate to Club A/c	3532681		GAR	~NOTARY	\$0.00	\$1.00	\$0.00	\$0.00
20041018 15:01	CI - Transfer from Club to Inmate A/c	3533237		GAR	~INMATE BENEFIT - Z1~INMATE BENEFIT - Z1 ~10/13/04 Canteen Refund-W65522 BENYAMIN,GEORGE PERSONAL-KCN WASH ACCOUNT - Z5	\$19.14	\$0.00	\$0.00	\$0.00
20041019 11:41	IC - Transfer from Inmate to Club A/c	3537323		GAR	~POSTAGE-POSTAGE - Z11~POSTAGE - Z11	\$0.00	\$4.42	\$0.00	\$0.00
20041019 11:43	IC - Transfer from Inmate to Club A/c	3537331		GAR	~POSTAGE-POSTAGE - Z11~POSTAGE - Z11	\$0.00	\$3.95	\$0.00	\$0.00
20041019 11:44	IC - Transfer from Inmate to Club A/c	3537335		GAR	~POSTAGE-POSTAGE - Z11~POSTAGE - Z11	\$0.00	\$8.60	\$0.00	\$0.00
20041103 22:30	CN - Canteen	3609160		GAR	~Canteen Date : 20041103	\$0.00	\$8.22	\$0.00	\$0.00
20041108 10:29	VI - Visitation	3628206		GAR	~BENYAMIN, EMAD, ,	\$100.00	\$0.00	\$0.00	\$0.00
20041108 10:29	MA - Maintenance and Administration	3628207		GAR	~Monthly Maintenance and Administration Fee	\$0.00	\$1.00	\$0.00	\$0.00
20041109 22:30	CN - Canteen	3638360		GAR	~Canteen Date : 20041109	\$0.00	\$18.15	\$0.00	\$0.00
20041110 16:46	IS - Interest	3645886		GAR		\$0.03	\$0.00	\$0.00	\$0.00
20041110 16:46	IS - Interest	3645887		GAR		\$0.00	\$0.00	\$0.75	\$0.00
20041112 13:08	IC - Transfer from Inmate to Club A/c	3672307		GAR	~POSTAGE-POSTAGE - Z11~POSTAGE - Z11	\$0.00	\$0.60	\$0.00	\$0.00
20041115 11:39	IC - Transfer from Inmate to Club A/c	3676572		GAR	~POSTAGE-POSTAGE - Z11~POSTAGE - Z11	\$0.00	\$4.42	\$0.00	\$0.00
20041116 22:30	CN - Canteen	3684410		GAR	~Canteen Date : 20041116	\$0.00	\$16.89	\$0.00	\$0.00
20041123 13:44	IC - Transfer from Inmate to Club A/c	3714149		GAR	~POSTAGE-PROTESTANT CHAPLAIN - Z108~PROTESTANT CHAPLAIN - Z108	\$0.00	\$7.90	\$0.00	\$0.00
20041123 22:30	CN - Canteen	3716417		GAR	~Canteen Date : 20041123	\$0.00	\$20.10	\$0.00	\$0.00
20041201 22:30	CN - Canteen	3747991		GAR	~Canteen Date : 20041201	\$0.00	\$12.47	\$0.00	\$0.00
20041203 10:44	IC - Transfer from Inmate to Club A/c	3764244		GAR	~POSTAGE-POSTAGE - Z11~POSTAGE - Z11	\$0.00	\$4.65	\$0.00	\$0.00
20041206 08:34	VI - Visitation	3767200		GAR	~BENYAMIN, EMAD, ,	\$100.00	\$0.00	\$0.00	\$0.00
20041206 08:34	MA - Maintenance and Administration	3767201		GAR	~Monthly Maintenance and Administration Fee	\$0.00	\$1.00	\$0.00	\$0.00
20041207 17:00	IS - Interest	3778999		GAR		\$0.10	\$0.00	\$0.00	\$0.00
20041207 17:00	IS - Interest	3779000		GAR		\$0.00	\$0.00	\$0.80	\$0.00
20041208 22:30	CN - Canteen	3800105		GAR	~Canteen Date : 20041208	\$0.00	\$14.08	\$0.00	\$0.00
20041209 14:14	IC - Transfer from Inmate to Club A/c	3809633		GAR	~POSTAGE-POSTAGE - Z11~POSTAGE - Z11	\$0.00	\$1.06	\$0.00	\$0.00
20041214 11:34	IC - Transfer from Inmate to Club A/c	3826456		GAR	~POSTAGE-POSTAGE - Z11~POSTAGE - Z11	\$0.00	\$4.88	\$0.00	\$0.00

## COMMONWEALTH OF MASSACHUSETTS

## DEPARTMENT OF CORRECTION

## Inmate Transaction Report

Date : 20041228 15:51

Page : 4

Commit# : W65522  
 Name : BENYAMIN, GEORGE, .  
 Inst : NCCI GARDNER  
 Block : H BUILDING 1  
 Cell/Bed : 14 /A

NCCI GARDNER

Statement From 20040628

To 20041228

Transaction Date	Type	Receipt #	Check No	Inst Name	Notes	Personal		Savings	
						Income	Expense	Income	Expense
20041214 11:35	IC - Transfer from Inmate to Club A/c	3826458		GAR	-POSTAGE-POSTAGE - Z11-POSTAGE - Z11	\$0.00	\$0.60	\$0.00	\$0.00
20041215 11:16	IC - Transfer from Inmate to Club A/c	3831219		GAR	-POSTAGE-POSTAGE - Z11-POSTAGE - Z11	\$0.00	\$4.65	\$0.00	\$0.00
20041215 22:30	CN - Canteen	3834633		GAR	-Canteen Date : 20041215	\$0.00	\$18.67	\$0.00	\$0.00
20041216 15:48	IC - Transfer from Inmate to Club A/c	3844957		GAR	-Clothing Order-KCN WASH ACCOUNT - Z5-KCN WASH ACCOUNT - Z5	\$0.00	\$5.78	\$0.00	\$0.00
20041217 11:32	IC - Transfer from Inmate to Club A/c	3849876		GAR	-POSTAGE-POSTAGE - Z11-POSTAGE - Z11	\$0.00	\$0.60	\$0.00	\$0.00
20041223 14:15	IC - Transfer from Inmate to Club A/c	3880974		GAR	-POSTAGE-POSTAGE - Z11-POSTAGE - Z11	\$0.00	\$3.95	\$0.00	\$0.00
20041227 13:36	IC - Transfer from Inmate to Club A/c	3888518		GAR	-POSTAGE-POSTAGE - Z11-POSTAGE - Z11	\$0.00	\$3.95	\$0.00	\$0.00
20041227 13:49	IC - Transfer from Inmate to Club A/c	3888580		GAR	-CERTIFIED MAIL-POSTAGE - Z11-POSTAGE - Z11	\$0.00	\$4.05	\$0.00	\$0.00
20041228 11:13	IC - Transfer from Inmate to Club A/c	3892175		GAR	-New Years Photo's- PHOTO - Z13-PHOTO - Z13	\$0.00	\$3.00	\$0.00	\$0.00
20041228 12:52	IC - Transfer from Inmate to Club A/c	3892564		GAR	-POSTAGE-POSTAGE - Z11-POSTAGE - Z11	\$0.00	\$4.42	\$0.00	\$0.00
						\$420.00	\$613.89	\$3.91	\$0.00

Balance as of ending date : Personal \$43.50 Savings \$360.94

## Current Balances :

Personal	Savings	Freeze	Loan	Restitution	Sentence
\$43.50	\$360.94	\$0.00	\$0.00	\$0.00	\$0.00